

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

CHELEY LEN HOKANSON,

Plaintiff,

v.

SHASTA JUAREZ, *et al.*,

Defendants.

Case No. 3:25-cv-00025-MMD-CLB

ORDER

Pro se Plaintiff Cheley Len Hokanson filed an application to proceed *in forma pauperis* (ECF No. 1 (“IFP Application”)) and a civil-rights complaint bringing claims against several Fallon Paiute Shoshone tribal officers under 42 U.S.C. § 1983 (ECF No. 1-1 (“Complaint”)). Before the Court is the Report and Recommendation (ECF No. 3 (“R&R”)) of United States Magistrate Judge Carla L. Baldwin, recommending that the IFP Application be granted and the Complaint be dismissed with leave to amend. Objections to the R&R were due February 7, 2025. (See *id.*) Hokanson has not filed an objection. However, on February 19, 2025, she submitted a motion for extension of time to file an amended complaint, in which she appears to indicate her non-opposition to the R&R while requesting additional time to amend her pleading. (ECF No. 4 (“Motion”).) As explained below, the Court will adopt the R&R in full as unopposed and will grant Plaintiff’s Motion. Plaintiff will have 45 days from the date of this Order to file an amended complaint.

Because there was no objection, the Court need not conduct *de novo* review, and is satisfied that Judge Baldwin did not clearly err. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Moreover, in her Motion, Plaintiff

1 indicates her intention to file an amended complaint in accordance with the R&R. (ECF
2 No. 4 at 2-3.) The Court thus adopts Judge Baldwin's R&R as unopposed.

3 The Court grants Hokanson's IFP Application and dismisses the Complaint without
4 prejudice and with leave to amend to cure the deficiencies identified in the R&R. Plaintiff
5 is reminded that she must comply with the Federal Rules of Civil Procedure in any
6 amended pleading, and that an amended complaint replaces the original complaint and
7 must be complete in itself. *See Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896
8 F.2d 1542, 1546 (9th Cir. 1989).

9 The Court further finds good cause to grant Plaintiff's request (ECF No. 4) for an
10 extension in the deadline to file an amended complaint as directed in the R&R. Plaintiff
11 will have up to and including April 10, 2025, to file an amended complaint.

12 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF
13 No. 3) is accepted and adopted in full.


14 It is further ordered that Plaintiff's application to proceed *in forma pauperis* (ECF
15 No. 1) is granted.

16 It is further ordered that Plaintiff's Complaint (ECF No. 1-1) is dismissed without
17 prejudice and with leave to amend.

18 It is further ordered that Plaintiff's motion to extend time to file an amended
19 complaint (ECF No. 4) is granted.

20 It is further ordered that if Plaintiff chooses to file an amended complaint curing the
21 deficiencies in her Complaint, as outlined in the R&R, she must file her amended
22 complaint on or before April 10, 2025. If Plaintiff chooses not to file an amended
23 complaint, this action may be dismissed for failure to state a claim.

24 DATED THIS 21st Day of February 2025.

25 
26 _____
27 MIRANDA M. DU
28 UNITED STATES DISTRICT JUDGE